

84C.2 Definitions.

For the purposes of this chapter:

1. “*Aggrieved employee*” means an employee who has worked for the employer ordering the business closing or mass layoff and who, as a result of the failure by the employer to comply with section 84C.3, did not receive timely notice either directly or through the employee’s representative.

2. “*Business closing*” means the permanent or temporary shutdown of a single site of employment of one or more facilities or operating units that will result in an employment loss for twenty-five or more employees, other than part-time employees.

3. “*Department*” means the department of workforce development.

4. “*Employee*” means a worker who may reasonably expect to experience an employment loss as a consequence of a proposed business closing or mass layoff by an employer.

5. “*Employer*” means a person who employs twenty-five or more employees, excluding part-time employees.

6. “*Employment loss*” means an employment termination, other than a discharge for cause, voluntary separation, or retirement; a layoff exceeding six months; or a reduction in hours of more than fifty percent of work of individual employees during each month of a six-month period. “*Employment loss*” does not include instances when a business closing or mass layoff is the result of the relocation or consolidation of part or all of the employer’s business and, before the business closing or mass layoff, the employer offers to transfer the employee to a different site of employment within a reasonable commuting distance with no more than a six-month break in employment.

7. “*Mass layoff*” means a reduction in employment force that is not the result of a business closing and results in an employment loss at a single site of employment during any thirty-day period of twenty-five or more employees, other than part-time employees.

8. “*Part-time employee*” means an employee who is employed for an average of fewer than twenty hours per week or an employee, including a full-time employee, who has been employed for fewer than six of the twelve months preceding the date on which notice is required. However, if an applicable collective bargaining agreement defines a part-time employee, such definition shall supersede the definition in this subsection.

9. “*Representative*” means an exclusive representative of employees within the meaning of section 9(a) of the federal National Labor Relations Act, 29 U.S.C. § 151 et seq., and the federal Railway Labor Act, 45 U.S.C. § 151 et seq.

10. “*Single site of employment*” refers to a single location or a group of contiguous locations, such as a group of structures that form a campus or business park or separate facilities across the street from each other.

2010 Acts, ch 1085, §2; 2010 Acts, ch 1188, §24